

**PLAN COMMISSION
RESOLUTION NO. 2022-03**

**VILLAGE OF YORKVILLE
RACINE COUNTY, WISCONSIN**

A RESOLUTION OF THE PLAN COMMISSION OF THE VILLAGE OF YORKVILLE RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING THE RACINE COUNTY CODE OF ORDINANCES AS ADOPTED BY THE VILLAGE OF YORKVILLE UNDER SECTION 55-1(A) OF THE CODE OF ORDINANCES OF THE VILLAGE OF YORKVILLE RELATING TO THE REZONING OF ±32.0203 ACRES OF LAND FROM THE B-3 (COMMERCIAL SERVICE), M-2 (GENERAL INDUSTRIAL) AND A-2 (GENERAL FARMING AND RESIDENTIAL II) ZONING DISTRICTS TO THE B-5 (HIGHWAY BUSINESS) ZONING DISTRICT, PART OF THE S½ OF THE NE¼ OF SEC. 01, T3N, R21E, FOR THE PARCEL LOCATED AT 2502 NORTH SYLVANIA AVENUE (WEST FRONTAGE ROAD) AND A PORTION OF THE PARCEL LOCATED AT 2626 49TH DRIVE (PARCEL ID #'S 194-03-21-01-003-000 AND 194-03-21-01-002-000), FOR THE CONSTRUCTION OF A ±9,999-SQUARE FOOT COMMERCIAL BUILDING ON THESE PARCELS FOR THE SALES, SERVICE, MAINTENANCE AND LEASING OF TRUCKS, TRAILERS, RECREATIONAL VEHICLES AND EQUIPMENT, AND THE CONSTRUCTION OF A PARKING AREA TO BE UTILIZED AS A TRUCK TERMINAL; 2502 SYLVANIA, LLC AND TCTS, LLC, OWNER; DRAGAN RADETA, APPLICANT/AGENT

THE VILLAGE PLAN COMMISSION OF THE VILLAGE OF YORKVILLE, RACINE COUNTY, WISCONSIN, RESOLVES AS FOLLOWS:

RECITALS

WHEREAS, the Village of Yorkville, pursuant to Wisconsin Statutes §§ 62.23 and 61.35, created a Village Plan Commission; and

WHEREAS, Dragan Radeta (“Applicant”) has proposed to construct a ±9,999-square foot commercial building on these parcels for the sales, service, maintenance and leasing of trucks, trailers, recreational vehicles and equipment, and to construct a parking area to be utilized as a truck terminal (“Development”).

WHEREAS, to accommodate its proposed Development, the Applicant has applied to rezone ±32.0203 acres from the B-3 (Commercial Service), M-2 (General Industrial) and A-2 (General Farming and Residential II) Zoning Districts to the B-5 (Highway Business) Zoning District; part of the S½ of the NE¼ of Sec. 01, T3N, R21E, for the parcel located at 2502 North Sylvania Avenue (West Frontage Road) and a portion of the parcel located at 2626 49th Drive (Parcel ID #'s 194-03-21-01-003-000 and 194-03-21-01-002-000). The property to be rezoned is shown and legally described on the Applicant’s survey document, as prepared by Quam Engineering, LLC, consisting of four pages, with a last

revision date of March 2, 2022, which is incorporated herein by reference as though fully set forth herein; and

WHEREAS, on April 11, 2022, a duly noticed public hearing as to the proposed rezoning of the land identified above was held; and

WHEREAS, the Village, after consultation with the Applicant and Village staff, is recommending the use of a conditional rezoning approach to enable the development process to continue pending the receipt of final approvals that will be needed by the ultimate developer.

NOW THEREFORE IT IS RESOLVED that the Village of Yorkville Plan Commission finds that the proposed rezoning of the above-described land from the B-3 (Commercial Service), M-2 (General Industrial) and A-2 (General Farming and Residential II) Zoning Districts to the B-5 (Highway Business) Zoning District is appropriate for the following reasons:

1. This rezoning will not adversely affect the surrounding property values and is consistent with the uses found in the I-94 corridor in the Village of Yorkville.
2. The proposed B-5 zoning district appears to fit with surrounding uses, as the proposed ±32.0203-acres that are being requested to be zoned B-5, Highway Business District are in close proximity to other similar uses.
3. The proposed rezoning is in compliance with the Industrial and Commercial designations for the subject properties in the Village's adopted comprehensive plan and land use map as contained in the document entitled "2020-2050 Village of Yorkville Comprehensive Plan."

BE IT FURTHER RESOLVED that the Plan Commission does hereby recommend that the Village Board enact an Ordinance conditionally approving the requested rezoning and conditionally amending the Village zoning map for the Village, subject to the following conditions:

1. **Subject to Acceptance.** Subject to the Applicant acknowledging in writing that they have received a copy of this conditional approval, that they understand and accept the same, and that upon failure to satisfy these conditions this approval is void, and the same is deemed to not have been approved, and the Owner and Applicant will therefore need to re-commence the application process.
2. **Time to Satisfy Conditions.** Subject to the Owner and Applicant satisfying all aforementioned conditions by December 31, 2023, unless extended by the Village Board.
3. **Conditional Use Permit.** Subject to the applicant receiving approval from the Village for a Conditional Use Permit ("CUP") for the construction of a ±9,999-

square foot commercial building on these parcels for the sales, service, maintenance and leasing of trucks, trailers, recreational vehicles and equipment, and the construction of a parking area to be utilized as a truck terminal and agreeing to comply with all conditions of the CUP approval.

This Resolution was adopted by the Village of Yorkville Plan Commission on April 11, 2022.

**VILLAGE OF YORKVILLE
PLAN COMMISSION**

Ayes: 5

By: /s/ Douglas Nelson
Douglas Nelson, Chair

Nays: 0

Attest: /s/ Michael McKinney
Michael McKinney, Secretary

Abstentions: 0

Absences: 0